

\*\*E-filed 6/14/07\*\*

1 MARK B. FREDKIN, ESQ. [State Bar No. 53550]  
LINDA M. MacLEOD, ESQ. [State Bar No. 142023]  
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5 Attorneys for Defendant,  
Hung Manh Nguyen  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10

11 ELIZABETH DEL CARMEN PEZOA  
12

13 Plaintiffs,  
14

15 v.  
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COUNTY OF SANTA CLARA, a public  
15 entity, HUNG MAHN NGUYEN aka  
16 SUNG NGUYEN and DOES 1- 25,  
inclusive,

17 Defendants.  
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NO. C-05-3717 JF

**STIPULATED REQUEST FOR ORDER  
CONTINUING TRIAL DATE**

19  
20 Plaintiff Elizabeth Del Carmen Pezoa, through her attorney of record, Marguerite M.  
21 Buckley, Defendants County of Santa Clara and Bruce Lynn Copely, through their attorneys  
22 of record Cheryl Stevens, Deputy County Counsel and Defendant Hung Manh Nguyen,  
23 through his attorney of record Mark B. Fredkin and Linda M. MacLeod of Morgan, Franich,  
24 Fredkin & Marsh, after meeting and conferring on the matters herein, do hereby stipulate as  
25 follows:

26 1. Trial in this matter is presently set for December 3, 2007. This was a date that  
27 was stipulated between the parties as a continued trial date due to the fact that (1) individual  
28 Defendant Hung Manh Nguyen had not been served with the Summons and First Amended

1 Complaint until fall 2006; (2) there were some questions regarding the pleadings with several  
2 claims being dismissed against Nguyen; (3) Nguyen's Answer was not filed until February 15,  
3 2007 and County's answer was filed on February 20, 2007; (4) discovery was (and is) still in  
4 the early stages. All parties thereafter agreed to continue the trial date to December 3, 2007  
5 and the stipulation was signed by the parties.

6 2. However, prior to the date that the stipulation and proposed order were  
7 submitted to the Court, the Court in *HSD Corporation v. KLA-Tencor*, Case No. C 06-02778  
8 MHP set that case for trial in the Northern District of California for December 4, 2007. This  
9 trial was mistakenly not calendared in Mr. Fredkin's calendar, and thus this case was also set  
10 for this date.

11 3. Consequently, Mr. Mark Fredkin, lead trial counsel, now has two trials set one  
12 day apart.

13 4. On April 30, 2007, Ms. MacLeod submitted a request to Ms. Pezoa's counsel  
14 to continue the trial date again to mid-February. An additional request was made on May 23,  
15 2007 and by then, a trial date needed to be set for mid-April, 2008 due to Mr. Fredkin's trial  
16 schedule. (Mr. Fredkin now has jury trials set for January 18, 2008, January 28, 2007,  
17 February 19, 2008 and March 14, 2008.)

18 5. The parties propose and are agreeable to a date for trial to be set on April 7,  
19 2008. The trial is estimated by Plaintiff to last for ten days.

20 6. All parties agree that all discovery due dates and dates noted in the case  
21 management order shall be changed per the Federal Rules, in accordance with the April 7,  
22 2008 trial date.

23 7. This Stipulation is executed in three parts, faxed to the parties and may be e-filed  
24 with the Court upon receipt of the executed faxes. The parties will mail the originals to  
25 attorney Mark B. Fredkin who will retain said originals in his files.


26 SO STIPULATED:

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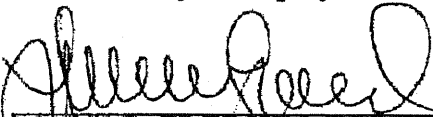
June 4, 2007

  
MARGUERITE M. BUCKLEY,  
Attorney for Plaintiff Elizabeth Del Carmen Pezoa

June \_\_, 2007

CHERYL STEVENS, County Counsel,  
Attorneys for Defendants County of Santa Clara  
and Bruce Lynn Copely

June \_\_, 2007

  
MARK B. FREDKIN, ESQ.  
LINDA M. MACLEOD, ESQ.  
Attorneys for Defendant Hung Manh Nguyen

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

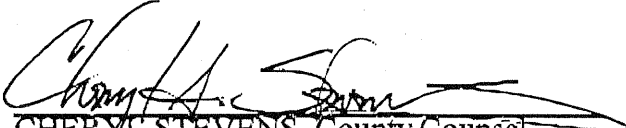
June 14, 2007

  
JUDGE OF THE DISTRICT COURT  
Jeremy Fogel

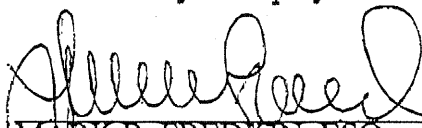
June \_\_, 2007

MARGUERITE M. BUCKLEY,  
Attorney for Plaintiff Elizabeth Del Carmen Pezoa

June 4, 2007

  
CHERYL STEVENS, County Counsel,  
Attorneys for Defendants County of Santa Clara  
and Bruce Lynn Copely

June \_\_, 2007

  
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Attorneys for Defendant Hung Manh Nguyen

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

June \_\_, 2007

JUDGE OF THE DISTRICT COURT